

**STATEMENT OF
COMMISSIONER MIGNON L. CLYBURN
APPROVING IN PART; CONCURRING IN PART**

Re: *Improving Public Safety Communications in the 800 MHz Band, WT Docket No. 02-55;
Amendment of Section 2.106 of the Commission's Rules to Allocate Spectrum at 2 GHz for use by the
Mobile Satellite Service, ET Docket No. 95-18*

While I approve of most of the findings in this item, I respectfully concur. In my opinion, the Commission has a strong institutional interest in ensuring that its relocation and cost reimbursement policies are correctly applied to the specific factual issues in this case. Therefore, while I respect that my colleagues may reasonably conclude otherwise, I believe that the public interest would have been better advanced by having the Commission decide the particular issue of whether ICO Global is liable to Sprint Nextel.